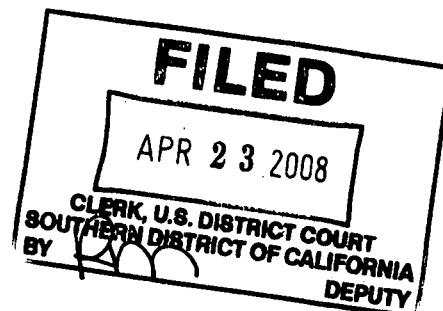


Mr. James Lynn O'Hines 197067  
Name and Prisoner/Booking Number

A.S.P.C. Florence Eyman Complex Small  
Place of Confinement

Box 3400 I-O-40 #  
Mailing Address

FLORENCE AZ 85232 #  
City, State, Zip Code



**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF ARIZONA**

Mr. James Lynn O'Hines,  
Plaintiff,

CASE NO. 08CV0726 BEN(BLM)

VS.)

APPLICATION TO PROCEED  
 IN FORMA PAUPERIS  
 BY A PRISONER  
 CIVIL (NON-HABEAS)

Bivens v. Six Unknown Federal,  
Defendant(s).

Narcotics Agents et al 403 us  
388 (1971)

I, Mr. James Lynn O'Hines, declare, in support of my request to proceed in the above entitled case without prepayment of fees under 28 U.S.C. § 1915, that I am unable to pay the fees for these proceedings or to give security therefor and that I believe I am entitled to relief.

In support of this application, I answer the following questions under penalty of perjury:

- Have you ever before brought an action or appeal in a federal court while you were incarcerated or detained? ☒ Yes ☐ No If "Yes," how many have you filed? Numerous #  
 Were any of the actions or appeals dismissed because they were frivolous, malicious, or failed to state a claim upon which relief may be granted? ☒ Yes ☐ No If "Yes," how many of them? All but 1/2 approx procedural defaults
- Are you currently employed at the institution where you are confined? ☐ Yes ☒ No  
 If "Yes," state the amount of your pay and where you work \_\_\_\_\_
- Do you receive any other payments from the institution where you are confined? ☐ Yes ☒ No  
 If "Yes," state the source and amount of the payments. \_\_\_\_\_

4. Do you have any other sources of income, savings, or assets either inside or outside of the institution where you are confined? ☒ Yes ☐ No
- If "Yes," state the sources and amounts of the income, savings, or assets. Unestimatable" B of A deposits 1974 to 3/26/06 by Uncle Joe Colce Keith Urban Music Capital Records BMI w/Red Sovell © Infringements Arty's Bakerfield Co. and Phoenix Hz Kenneth S. Countryman. New songwriting name © Jimmy Lee Baux 3-3-08 #
- I declare under penalty of perjury that the above information is true and correct.

3-7-2008  
DATE

James Lynn O'Hara  
SIGNATURE OF APPLICANT

#### CONSENT TO COLLECTION OF FEES FROM TRUST ACCOUNT

I, Mr. James Lynn O'Hara, hereby consent to having the designated correctional officials at this institution release to the Court my trust account information. I further consent to having the designated correctional officials at this institution withdraw from my trust account the funds required to comply with the order of this Court for the payment of filing fees in accordance with 28 U.S.C. § 1915(b).

My consent includes withdrawal from my account by correctional officials of partial initial payments to this Court equal to 20% of the greater of:

- (A) the average monthly deposits to my account for the six-month period preceding my filing of this action, or
- (B) the average monthly balance in my account for the six-month period preceding my filing of this action.

My consent also includes monthly withdrawals from my account by correctional officials of an amount equal to 20% of each month's income. Whenever the amount in my account reaches \$10, correctional officials will withdraw that amount and forward it to the Court until the required filing fee is paid in full. I understand that I am liable for paying the entire fee, even if my case is dismissed by the Court before the fee is fully paid.

3-7-2008  
DATE

James Lynn O'Hara  
SIGNATURE OF APPLICANT

#### CERTIFICATE OF CORRECTIONAL OFFICIAL AS TO STATUS OF APPLICANT'S TRUST ACCOUNT

I, \_\_\_\_\_, certify that as of the date applicant signed this application:  
(Printed name of official)

The applicant's trust account balance at this institution is: \$ \_\_\_\_\_

The applicant's average monthly deposits during the prior six months is: \$ \_\_\_\_\_

The applicant's average monthly balance during the prior six months is: \$ \_\_\_\_\_

The attached certified account statement accurately reflects the status of the applicant's account.

DATE AUTHORIZED SIGNATURE TITLE/ID NUMBER INSTITUTION

BK03 0 197067 20070801

12:32:24

DOCPCICS-C DISP

Arizona Department Of Corrections

PAGE 3

ADC#: 197067 -

Inmate Bank Account

From: 20080101

For : HINES, JAMES L.

Loc: A21 ASPC-E SMU II

To:

Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20070910	A21269	0003	20070910	LGL	SUPL-H	2.88	A21	LEGAL SUPPLIES
20070913	A21278	0002	20070913	POST	LGL-H	.58	A21	LEGAL POSTAGE
20070913	A21279	0002	20070913	POST	N/L-H	5.30	A21	POSTAGE
20070913	A21279	0003	20070913	POST	N/L-H	1.82	A21	POSTAGE
20070913	A21279	0004	20070913	POST	N/L-H	.58	A21	POSTAGE
20070918	A21285	0001	20070918	COPY	LGL-H	98.20	A21	LEGAL COPIES
20070918	A21286	0001	20070918	POST	LGL-H	6.85	A21	LEGAL POSTAGE
20070918	A21286	0004	20070918	POST	LGL-H	4.60	A21	LEGAL POSTAGE
20070924	A21296	0004	20070924	POST	LGL-H	1.48	A21	LEGAL POSTAGE
20070924	A21296	0005	20070924	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070924	A21296	0006	20070924	POST	LGL-H	.58	A21	LEGAL POSTAGE
20071001	A21302	0016	20071001	POST	N/L-H	.41	A21	POSTAGE
20071001	A21302	0017	20071001	POST	N/L-H	.41	A21	POSTAGE
20071002	A21304	0003	20071002	POST	LGL-H	1.99	A21	LEGAL POSTAGE
20071004	A21306	0001	20071004	POST	LGL-H	.41	A21	LEGAL POSTAGE

Bgn Bal: 0.00 Current Bal: 6.00 Spendable Bal: 0.00  
 MORE...

MORE...  
 Bgn Bal: 0.00 Current Bal: 6.00 Spendable Bal: 0.00

Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20070828	A21252	0005	20070828	POST	LGL-H	1.82	A21	LEGAL POSTAGE
20070828	A21252	0006	20070828	POST	LGL-H	1.82	A21	LEGAL POSTAGE
20070828	A21252	0011	20070828	POST	LGL-H	1.31	A21	LEGAL POSTAGE
20070828	A21252	0016	20070828	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070828	A21252	0017	20070828	POST	LGL-H	.75	A21	LEGAL POSTAGE
20070828	A21252	0018	20070828	POST	LGL-H	1.31	A21	LEGAL POSTAGE
20070828	A21253	0007	20070828	POST	N/L-H	1.99	A21	POSTAGE
20070828	A21253	0008	20070828	POST	N/L-H	2.67	A21	POSTAGE
20070828	A21253	0009	20070828	POST	N/L-H	1.99	A21	POSTAGE
20070829	A21256	0001	20070829	COPY	LGL-H	1.50	A21	CERTIFIED COPIES
20070830	A21258	0002	20070830	POST	LGL-H	.75	A21	LEGAL POSTAGE
20070830	A21258	0003	20070830	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070830	A21258	0004	20070830	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070830	A21258	0005	20070830	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070910	A21269	0003	20070910	LGL	SUPL-H	2.88	A21	LEGAL SUPPLIES

BK03 0 197067 20070801  
 DOCPCICS-C DISP  
 ADC#: 197067 -  
 Arizona Department Of Corrections  
 Inmate Bank Account  
 Loc: A21 ASPC-E SMU II  
 For : HINES, JAMES L.  
 To:  
 From: 20080101  
 PAGE 3  
 04/16/08 12:32:00

BK03 0 197067 20070801

01/16/08 12:30:50

D0CPCICS-C DISP

Arizona Department Of Corrections

PAGE 3

ADC#: 197067 -

Inmate Bank Account

From: 20080101

For : HINES, JAMES L.

Loc: A21 ASPC-E SMU II

To:

Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20070817	A21491	0012	20070817	POST	LGL-H	1.48	A21	LEGAL POSTAGE
20070817	A21491	0013	20070817	POST	LGL-H	1.31	A21	LEGAL POSTAGE
20070817	A21491	0014	20070817	POST	LGL-H	1.31	A21	LEGAL POSTAGE
20070817	A21488	0001	20070817	COPY	N/L-H	8.70	A21	COPIES
20070817	A21490	0009	20070817	POST	N/L-H	1.31	A21	POSTAGE
20070821	A21493	0005	20070821	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070821	A21493	0007	20070821	POST	LGL-H	1.14	A21	LEGAL POSTAGE
20070821	A21493	0009	20070821	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070821	A21493	0011	20070821	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070824	A21496	0009	20070824	COPY	LGL-H	24.40	A21	NOTARY COPIES
20070824	A21497	0001	20070824	COPY	N/L-H	12.90	A21	COPIES
20070828	A21252	0002	20070828	POST	LGL-H	1.31	A21	LEGAL POSTAGE
20070828	A21252	0003	20070828	POST	LGL-H	4.60	A21	LEGAL POSTAGE
20070828	A21252	0004	20070828	POST	LGL-H	1.31	A21	LEGAL POSTAGE
20070828	A21252	0005	20070828	POST	LGL-H	1.82	A21	LEGAL POSTAGE

Bgn Bal: 0.00 Current Bal: 6.00 Spendable Bal: 0.00  
 MORE...

0.00 Spendable Bal: 6.00 Current Bal: 0.00 Bgn Bal: MORE...

Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20070730	A21464	0020	20070730	POST	N/L-H	.75	A21	POSTAGE
20070803	A21465	0007	20070803	POST	N/L-H	.97	A21	POSTAGE
20070803	A21465	0008	20070803	POST	N/L-H	1.31	A21	POSTAGE
20070808	A21475	0002	20070808	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070808	A21476	0002	20070808	POST	N/L-H	.41	A21	POSTAGE
20070809	A21482	0001	20070809	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070809	A21481	0003	20070809	POST	N/L-H	.92	A21	POSTAGE
20070814	A21486	0006	20070814	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070814	A21486	0015	20070814	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070814	A21487	0010	20070814	POST	N/L-H	.41	A21	POSTAGE
20070814	A21487	0014	20070814	POST	N/L-H	.58	A21	POSTAGE
20070817	A21491	0001	20070817	POST	LGL-H	.41	A21	LEGAL POSTAGE
20070817	A21491	0011	20070817	POST	LGL-H	1.14	A21	LEGAL POSTAGE
20070817	A21491	0012	20070817	POST	LGL-H	1.48	A21	LEGAL POSTAGE

For : HINES, JAMES L. Loc: A21 ASPC-E SMU II To:

ADC#: 197067 - Inmate Bank Account From: 20080101

D0CPCICS-C DISP Arizona Department Of Corrections PAGE 3

BK03 0 197067 20070801 01/16/08 12:30:31

BK03 0 197067 20070801 01/16/08 12:35:43

DOCPCICS-C DISP Arizona Department Of Corrections

PAGE 3

ADC#: 197067 - Inmate Bank Account

From: 20080101

For : HINES, JAMES L.

Loc: A21 ASPC-E SMU II

To:

Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20080107	A21429	0002	20080107	POST	LGL-H	.58	A21	LEGAL POSTAGE
20080107	A21431	0003	20080107	HEALTH	- H	3.00	A21	MEDICAL 11-2-07
20080109	A21434	0005	20080109	POST	LGL-H	.41	A21	LEGAL POSTAGE
20080109	A21434	0006	20080109	POST	LGL-H	.41	A21	LEGAL POSTAGE
20080109	A21433	0001	20080109	COPY	N/L-H	76.20	A21	COPIES
20080109	A21432	0002	20080109	POST	N/L-H	.41	A21	POSTAGE
20080109	A21432	0019	20080109	POST	N/L-H	.41	A21	POSTAGE
20080109	A21432	0020	20080109	POST	N/L-H	.58	A21	POSTAGE
20080109	A21432	0024	20080109	POST	N/L-H	2.16	A21	POSTAGE
20080114	A21440	0002	20080114	POST	LGL-H	.97	A21	LEGAL POSTAGE
20080114	A21440	0008	20080114	POST	LGL-H	.41	A21	LEGAL POSTAGE

Bgn Bal: 0.00 Current Bal: 6.00 Spendable Bal: 0.00  
END OF DATA

Bgn Bal: 0.00 Current Bal: 6.00 Spendable Bal: 0.00  
MORE...

Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20071210	A21403	0010	20071210	POST	LGL-H	1.81	A21	LEGAL POSTAGE
20071210	A21404	0011	20071210	POST	LGL-H	1.47	A21	POSTAGE
20071210	A21404	0012	20071210	POST	LGL-H	1.64	A21	POSTAGE
20071210	A21401	0010	20071210	LGL	SUPL-H	2.88	A21	LEGAL SUPPLIES
20071212	A21408	0002	20071212	POST	LGL-H	.75	A21	LEGAL POSTAGE
20071212	A21408	0003	20071212	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071217	A21413	0004	20071217	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071217	A21413	0006	20071217	POST	LGL-H	1.31	A21	LEGAL POSTAGE
20071217	A21413	0009	20071217	POST	LGL-H	1.81	A21	LEGAL POSTAGE
20071217	A21413	0010	20071217	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071217	A21410	0010	20071217	POST	N/L-H	.75	A21	POSTAGE
20071217	A21410	0011	20071217	POST	N/L-H	.58	A21	POSTAGE
20071217	A21410	0013	20071217	POST	N/L-H	.75	A21	POSTAGE
20080104	A21425	0009	20080104	POST	LGL-H	.41	A21	LEGAL POSTAGE
20080107	A21429	0002	20080107	POST	LGL-H	.58	A21	LEGAL POSTAGE

For : HINES, JAMES L.

Loc: A21 ASPC-E SMU II

To:

Inmate Bank Account

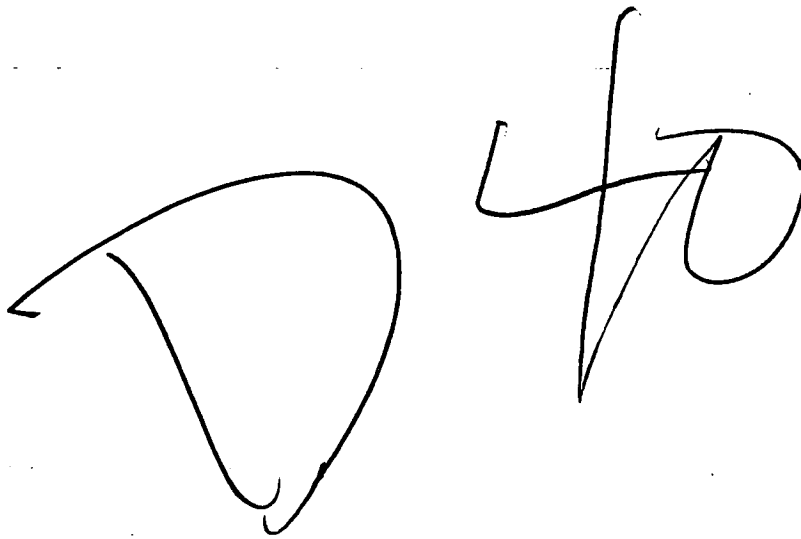
From: 20080101

Arizona Department Of Corrections

DISP

PAGE 3

BK03 0 197067 20070801 01/16/08 12:35:43

A handwritten signature in black ink, consisting of a large, stylized 'V' or 'W' shape followed by a series of loops and a vertical stroke.



Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20071114	A21369	0006	20071114	POST	N/L-H	1.65	A21	POSTAGE
20071114	A21369	0007	20071114	POST	N/L-H	1.48	A21	POSTAGE
20071120	A21377	0001	20071120	COPY	LGL-H	52.60	A21	NOTARY & COPIES
20071120	A21376	0001	20071120	POST	LGL-H	.97	A21	LEGAL POSTAGE
20071120	A21376	0002	20071120	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071120	A21376	0003	20071120	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071120	A21376	0004	20071120	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071120	A21376	0005	20071120	POST	LGL-H	1.47	A21	LEGAL POSTAGE
20071120	A21376	0006	20071120	POST	LGL-H	1.47	A21	LEGAL POSTAGE
20071120	A21376	0007	20071120	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071120	A21376	0008	20071120	POST	LGL-H	1.64	A21	LEGAL POSTAGE
20071120	A21376	0012	20071120	POST	LGL-H	.92	A21	LEGAL POSTAGE
20071120	A21376	0016	20071120	POST	LGL-H	1.48	A21	LEGAL POSTAGE
20071120	A21376	0022	20071120	POST	LGL-H	2.49	A21	LEGAL POSTAGE
20071120	A21376	0023	20071120	POST	LGL-H	4.60	A21	LEGAL POSTAGE

Bgn Bal: 0.00 Current Bal: 6.00 Spendable Bal: 0.00  
MORE...

MORE...  
Bgn Bal: 0.00 Current Bal: 6.00 Spendable Bal: 0.00

Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20071120	A21376	0023	20071120	POST	LGL-H	4.60	A21	LEGAL POSTAGE
20071120	A21376	0026	20071120	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071120	A21376	0031	20071120	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071120	A21376	0032	20071120	POST	LGL-H	.58	A21	LEGAL POSTAGE
20071120	A21376	0034	20071120	POST	LGL-H	.92	A21	LEGAL POSTAGE
20071120	A21376	0037	20071120	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071121	A21381	0001	20071121	POST	N/L-H	3.00	A21	POSTAGE
20071121	A21381	0003	20071121	POST	N/L-H	.41	A21	POSTAGE
20071121	A21381	0014	20071121	POST	N/L-H	.58	A21	POSTAGE
20071121	A21404	0001	20071121	POST	LGL-H	1.48	A21	POSTAGE
20071121	A21404	0002	20071121	POST	LGL-H	1.48	A21	POSTAGE
20071121	A21404	0003	20071121	POST	LGL-H	2.67	A21	POSTAGE
20071121	A21404	0004	20071121	POST	LGL-H	7.50	A21	POSTAGE
20071121	A21404	0005	20071121	POST	LGL-H	2.33	A21	POSTAGE
20071121	A21403	0010	20071121	POST	LGL-H	1.81	A21	LEGAL POSTAGE

BK03 0 197067 20070801

01/16/08 12:32:49

DOCPCICS-C DISP

Arizona Department Of Corrections

PAGE 3

ADC#: 197067 -

Inmate Bank Account

From: 20080101

For : HINES, JAMES L.

Loc: A21 ASPC-E SMU II

To:

Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20071004	A21306	0001	20071004	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071004	A21306	0002	20071004	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071004	A21306	0005	20071004	POST	LGL-H	1.31	A21	LEGAL POSTAGE
20071004	A21307	0001	20071004	POST	N/L-H	.41	A21	POSTAGE
20071004	A21309	0004	20071004	POST	N/L-H	.41	A21	POSTAGE
20071009	A21313	0007	20071009	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071009	A21313	0008	20071009	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071009	A21313	0009	20071009	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071009	A21313	0010	20071009	POST	LGL-H	.41	A21	LEGAL POSTAGE
20071012	A21316	0001	20071012	COPY	LGL-H	36.80	A21	LEGAL COPIES
20071015	A21320	0004	20071015	POST	LGL-H	1.47	A21	LEGAL POSTAGE
20071015	A21320	0007	20071015	POST	LGL-H	1.81	A21	LEGAL POSTAGE
20071015	A21320	0008	20071015	POST	LGL-H	2.33	A21	LEGAL POSTAGE
20071015	A21320	0009	20071015	POST	LGL-H	2.67	A21	LEGAL POSTAGE
20071015	A21320	0010	20071015	POST	LGL-H	2.84	A21	LEGAL POSTAGE

Bgn Bal: 0.00 Current Bal: 6.00 Spendable Bal: 0.00  
 MORE...

MORE...

Post Dte	Batch#	Item	D/W	Date	Type	Amount	Refrnc	Remitter
20071015	A21320	0010	20071015	POST	LGL-H	2.84	A21	LEGAL POSTAGE
20071015	A21320	0012	20071015	POST	LGL-H	4.60	A21	LEGAL POSTAGE
20071015	A21318	0006	20071015	POST	N/L-H	.41	A21	POSTAGE
20071015	A21318	0007	20071015	POST	N/L-H	.41	A21	POSTAGE
20071024	A21335	0003	20071024	POST	LGL-H	1.82	A21	LEGAL POSTAGE
20071024	A21336	0004	20071024	POST	N/L-H	1.48	A21	POSTAGE
20071026	A21340	0001	20071026	COPY	N/L-H	31.10	A21	COPIES
20071026	A21350	0007	20071026	LGL	SUPL-H	2.88	A21	LEGAL SUPPLIES
20071030	A21351	0002	20071030	POST	LGL-H	1.65	A21	LEGAL POSTAGE
20071030	A21353	0001	20071030	POST	N/L-H	.92	A21	POSTAGE
20071105	A21358	0012	20071105	POST	LGL-H	1.65	A21	LEGAL POSTAGE
20071109	A21363	0013	20071109	POST	LGL-H	.58	A21	LEGAL POSTAGE
20071109	A21367	0010	20071109	LGL	SUPL-H	2.88	A21	LEGAL SUPPLIES
20071114	A21368	0002	20071114	POST	LGL-H	.75	A21	LEGAL POSTAGE
20071114	A21369	0006	20071114	POST	N/L-H	1.65	A21	POSTAGE

For : HINES, JAMES L.

Loc: A21 ASPC-E SMU II

To:

ADC#: 197067 -

Inmate Bank Account

From: 20080101

DOCPCICS-C DISP

Arizona Department Of Corrections

PAGE

BK03 0 197067 20070801